



2025:DHC:8510



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% Decided on: 22.09.2025

+ **BAIL APPLN. 2164/2025****SARNAM VERMA ALIAS SURAJ**PetitionerThrough: Mr. Akshat Maheshwari, Mr.
Prabhash, Mr. Suchit Kohli, Mr.
Kulanand & Mr. Dishant
Yadav, Advocates

versus

STATE GOVT. OF NCT OF DELHIRespondentThrough: Mr. Tarang Srivastav, APP with
Inspector Kishore Kumar, PS
Vasant Kunj North**CORAM:****HON'BLE MR. JUSTICE RAVINDER DUDEJA****JUDGMENT(ORAL)**

1. This is an application filed on behalf of the applicant for the grant of regular bail in case FIR no. 528/2018 under Section 302 of IPC, registered at Police Station Vasant Kunj.
2. On 10.10.2018, a PCR call was received at PS Vasant Kunj North regarding theft and assault at H.No. C-2/8-9, Kishangarh, New Delhi. On reaching the spot, the police team found three persons, Mithlesh (father), Siya (mother), and Neha (daughter), lying dead with multiple stab injuries, and the house in a ransacked condition though no signs of forcible entry were found. Crime team and FSL officials inspected the scene of crime, lifted bloodstained articles, recovered a



knife, mobile phones, and other exhibits, and sent the bodies to Safdarjung Hospital where they were declared “brought dead” with multiple stab injuries noted in MLCs.

3. During enquiry, the surviving son Suraj @ Sarnam was interrogated as his conduct was suspicious. Upon sustained questioning, he confessed to murdering his father, mother, and sister with a knife purchased a day earlier from Mehrauli, due to longstanding family disputes and resentment. He disclosed the manner of commission, recovery of the weapon, scissor, and wiper used to wipe blood. The shopkeeper identified the petitioner as the purchaser of the weapon. FIR No. 528/2018 dated 10.10.2018 u/s 302 IPC was registered, accused was arrested, and investigation was completed with seizure of all relevant exhibits.

4. Learned counsel for the applicant submits that the petitioner has been in custody for over five years without trial conclusion, during which only 2 out of 34 witnesses have been examined, thereby violating his fundamental right to speedy trial under Article 21. It is submitted that the prosecution case rests solely on circumstantial evidence, riddled with gaps and inconsistencies, with no eyewitness account or forensic linkage such as fingerprints, DNA, or bloodstains connecting the applicant to the crime.

5. It is further submitted that the alleged extra-judicial confession is uncorroborated and unreliable, while material witnesses including neighbours have not been examined, and even the crime scene report contains serious discrepancies. It is further submitted that the absence



of forced entry cannot be presumed against the applicant, as evidence shows multiple possible entries into the house, leaving open the possibility of third-party involvement.

6. Reliance is placed on precedents such as ***Sharad Birdhichand Sarda v. State of Maharashtra*** AIR 1984 SC 1622, ***K.A. Najeeb v. Union of India*** (2021) 3 SCC 713, and ***Sanjay Chandra v. CBI*** (2012) 1 SCC 40, to argue that prolonged incarceration, weak circumstantial evidence, and absence of direct proof entitle the applicant to bail.

7. Learned APP for the State vehemently opposes the bail application by submitting that the accused is charged with the brutal and premeditated murder of his father, mother, and sister, with the crime scene showing no signs of forced entry and the ransacking staged to mislead the investigation. It has been submitted that the voluntary confession of the accused, recovery of the knife and scissor purchased by him a day prior, confirmed by the shopkeeper, and the post-mortem findings of multiple stab injuries clearly establish his role. The FSL report further confirms the presence of the deceased's blood on the accused's clothes, directly linking him to the offence.

8. Having heard learned counsel for the applicant as well as learned APP for the State and upon perusal of the record, this Court finds that the present case pertains to the brutal murder of three close family members of the applicant, namely his father, mother, and sister, within the confines of their residence. The allegations disclose a cold-blooded and premeditated act, committed with weapons purchased by



the applicant a day prior. The gravity and seriousness of the offence cannot be overstated, as it involves the extermination of one's own immediate family, striking at the very root of societal and moral values. The Supreme Court has consistently held that in cases of grave offences punishable with death or life imprisonment, the nature of the crime and its impact on society must weigh heavily while considering bail.

9. The contention of the applicant regarding prolonged incarceration and delay in trial, though not unfounded, cannot by itself override the gravity of the allegations in the present case. The right to speedy trial under Article 21 is undoubtedly important, but it cannot be read in isolation so as to eclipse the overwhelming consideration of the seriousness of the offence, especially where the delay is attributable partly to systemic factors and the gravity of the charge is such that releasing the accused would not be in the larger interest of justice.

10. This Court also finds that the materials collected during investigation, including the voluntary disclosure/confession, recovery of the murder weapon at the instance of the accused, corroboration by the shopkeeper who sold the knife and the identification, the FSL report confirming the presence of the deceased's blood on the accused's clothes, and the absence of forced entry at the scene of crime, *prima facie* establish the complicity of the accused. At the stage of bail, a detailed appreciation of evidence is not warranted, yet the Court cannot ignore that there exists sufficient material which, if



proved, would clearly implicate the applicant.

11. In **Sanjay Chandra v. CBI** (supra), the Supreme Court *inter alia* held as under;

*“37. The principles, which the Court must consider while granting or declining bail, have been culled out by this Court in **Prahlad Singh Bhati v. NCT, Delhi** [(2001) 4 SCC 280 : 2001 SCC (Cri) 674] thus: (SCC pp. 284-85, para 8)*

“8. The jurisdiction to grant bail has to be exercised on the basis of well-settled principles having regard to the circumstances of each case and not in an arbitrary manner. While granting the bail, the court has to keep in mind the nature of accusations, the nature of [the] evidence in support thereof, the severity of the punishment which conviction will entail, the character, behaviour, means and standing of the accused, circumstances which are peculiar to the accused, reasonable possibility of securing the presence of the accused at the trial, reasonable apprehension of the witnesses being tampered with, the larger interests of the public or State and similar other considerations. It has also to be kept in mind that for the purposes of granting the bail the legislature has used the words ‘reasonable grounds for believing’ instead of ‘the evidence’ which means the court dealing with the grant of bail can only satisfy it (sic itself) as to whether there is a genuine case against the accused and that the prosecution will be able to produce prima facie evidence in support of the charge. It is not expected, at this stage, to have the evidence establishing the guilt of the accused beyond reasonable doubt.”

*38. In **State of U.P. v. Amarmani Tripathi** [(2005) 8 SCC 21 : 2005 SCC (Cri) 1960 (2)] this Court held as under: (SCC pp. 31 & 32, paras 18 & 22)*

“18. It is well settled that the matters to be considered in an application for bail are (i) whether there is any prima facie or reasonable ground to believe that the accused had



*committed the offence; (ii) nature and gravity of the charge; (iii) severity of the punishment in the event of conviction; (iv) danger of the accused absconding or fleeing, if released on bail; (v) character, behaviour, means, position and standing of the accused; (vi) likelihood of the offence being repeated; (vii) reasonable apprehension of the witnesses being tampered with; and (viii) danger, of course, of justice being thwarted by grant of bail [see **Prahlad Singh Bhati v. NCT, Delhi**[(2001) 4 SCC 280 : 2001 SCC (Cri) 674] and **Gurcharan Singh v. State (Delhi Admn.)** [(1978) 1 SCC 118 : 1978 SCC (Cri) 41 : AIR 1978 SC 179]]. While a vague allegation that the accused may tamper with the evidence or witnesses may not be a ground to refuse bail, if the accused is of such character that his mere presence at large would intimidate the witnesses or if there is material to show that he will use his liberty to subvert justice or tamper with the evidence, then bail will be refused. We may also refer to the following principles relating to grant or refusal of bail stated in **Kalyan Chandra Sarkar v. Rajesh Ranjan** [(2004) 7 SCC 528 : 2004 SCC (Cri) 1977] : (SCC pp. 535-36, para 11) ‘11. The law in regard to grant or refusal of bail is very well settled. The court granting bail should exercise its discretion in a judicious manner and not as a matter of course. Though at the stage of granting bail a detailed examination of evidence and elaborate documentation of the merit of the case need not be undertaken, there is a need to indicate in such orders reasons for prima facie concluding why bail was being granted particularly where the accused is charged of having committed a serious offence. Any order devoid of such reasons would suffer from non-application of mind. It is also necessary for the court granting bail to consider among other circumstances, the following factors also before granting bail; they are:*

(a) The nature of accusation and the severity of punishment in case of conviction and the nature of supporting evidence.



(b) Reasonable apprehension of tampering with the witness or apprehension of threat to the complainant.

(c) Prima facie satisfaction of the court in support of the charge. (See Ram Govind Upadhyay v. Sudarshan Singh [(2002) 3 SCC 598 : 2002 SCC (Cri) 688] and Puran v. Rambilas [(2001) 6 SCC 338 : 2001 SCC (Cri) 1124] .)’

22. While a detailed examination of the evidence is to be avoided while considering the question of bail, to ensure that there is no prejudging and no prejudice, a brief examination to be satisfied about the existence or otherwise of a prima facie case is necessary.””

12. In view of the aforesaid discussion, this Court is of the considered opinion that no case for grant of bail is made out. The offence alleged is of the gravest kind, involving the murder of three innocent family members in a pre-planned manner, which shocks the conscience of society. The applicant’s plea of prolonged incarceration, in the facts of the present case, cannot outweigh the seriousness and gravity of the charges. Accordingly, the present application seeking regular bail is dismissed.

RAVINDER DUDEJA, J.

SEPTEMBER 22, 2025/na